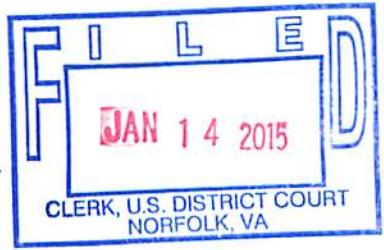


UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Newport News Division



ALFRED ROBINSON, JR.,

Plaintiff,

v.

ACTION NO. 4:13cv144

CAROLYN W. COLVIN,
Acting Commissioner of
Social Security,

Defendant.

FINAL ORDER

Plaintiff, Alfred Robinson, Jr., brought this action under 42 U.S.C. § 405(g) and 42 U.S.C. § 1383(c)(3), seeking judicial review of the final decision of the Acting Commissioner of Social Security denying Plaintiff's applications for disability insurance benefits and Supplemental Security Income beginning October 21, 2007, pursuant to Sections 205(g) and 1631(c)(3) of the Social Security Act.

This matter was referred to a United States Magistrate Judge, pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and (C) and Rule 72(b) of the Federal Rules of Civil Procedure, as well as Rule 72 of the Rules of the United States District Court for the Eastern District of Virginia. The Report and Recommendation of the Magistrate Judge was filed on December 3, 2014, recommending that

Defendant's Motion for Remand (ECF No. 23) be GRANTED, Plaintiff's Motion to Dismiss (ECF No. 24) be DENIED; the Commissioner's ruling be VACATED, and the case be REMANDED, for further proceedings consistent with the Report and Recommendation.

By copy of the Report and Recommendation, each party was advised of the right to file written objections to the findings and recommendations made by the Magistrate Judge. On December 15, 2014, the Court received and filed Plaintiff's Objections to Magistrate Judge Report and Recommendation (ECF No. 26). On December 23, 2014, the Court received Defendant's Reply to Plaintiff's Objections to the Report and Recommendation (ECF No. 27). Subsequently, on December 29, 2014, the Court received and filed Plaintiff Response to the Defendant's Reply to Plaintiff's Objections to the Report and Recommendation (ECF No. 28).

Following a de novo review of the Magistrate Judge's Report and Recommendation, and the objections filed thereto, the Court ADOPTS the findings and recommendations set forth in the Report and Recommendation of the United States Magistrate Judge filed on December 3, 2014. Therefore, Defendant's Motion for Remand (ECF No. 25) is GRANTED, Plaintiff's Motion to Dismiss (ECF No. 24) is DENIED; the Commissioner's ruling is VACATED, and the case is REMANDED for reconsideration consistent with the instructions set out in the Report and Recommendation.

The parties are ADVISED that they may appeal from this Final Order by forwarding a written notice of appeal to the Clerk of the United States District Court, United States Courthouse, 600 Granby Street, Norfolk, Virginia 23510. Said written notice must be received by the Clerk within sixty (60) days from the date of this Final Order.

The Clerk shall forward a copy of this Final Order to Plaintiff and to counsel of record for Defendant.

/s/ *MSD*

Mark S. Davis
United States District Judge

Norfolk, Virginia

January 13, 2015